



UNITED STATES PATENT AND TRADEMARK OFFICE

#16
PATENT
08-08-02
GW

In re patent
appln. of: Holger LOWE, et al. **COPY OF PAPERS
ORIGINALLY FILED**

Serial No.: 09/463,801

Filed: March 16, 2000

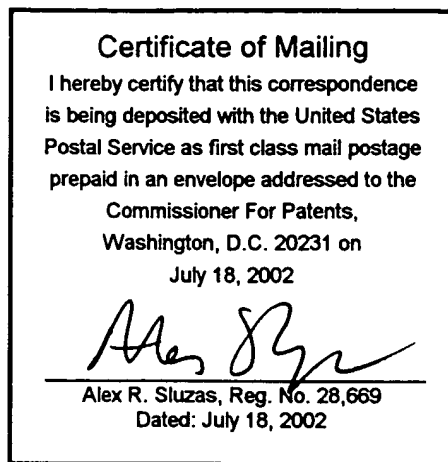
For: **AGENT FOR PRODUCING
AND/OR PROCESSING
ALCOHOLIC BEVERAGES, IN
PARTICULAR WINE OR
SPARKLING WINE, AND USE
OF SAID AGENT**

Art Unit: 1761

Examiner: Curtis Edward Sherrer

Atty. Dkt.: 678-99

Box Amendment – Fee
Commissioner For Patents
Washington, D.C. 20231



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JUL 25 2002

RESPONSE

Sir:

This response is being submitted under certificate of mailing on July 18, 2002 in response to the Examiner's Communication dated July 5, 2002 setting a one-month shortened statutory period for response.

Applicants would like to once again thank the Examiner for the courtesies extended during the undersigned attorney's telephone inquiry regarding the Communication and the basis for the Examiner's reference to Rule 1.111.

Following discussions with Mr. Leonard Smith, Esq., of the PCT Legal Advisor's office, applicants enclose herewith a Petition to accept the substitute translation of the international application previously filed along with the petition fee of \$130, in order to correct errors in the initially submitted translation. Pursuant to the PCT Treaty, applicants understand that errors

in the translation submitted pursuant to national phase requirements can be corrected at any time.

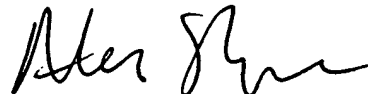
Applicants respectfully note that the current procedure for correction of the translation is not described in the MPEP, nor in any other printed material applicants have been able to identify.

Applicants respectfully submit that the provisions of 37 C.F.R. § 1.111 are not applicable to this situation, because the new translation was submitted to correct errors in the translation, and not to make changes in the specification per se.

The Examiner is respectfully requested to withdraw the outstanding Action pending a decision on the petition, as it is believed that a favorable decision on the petition will obviate the rejection entered by the Examiner in the outstanding Action.

Early favorable action on the petition is respectfully requested.

Respectfully submitted,



Alex R. Sluzas
Reg. No. 28,669

July 18, 2002

Order No. 0710

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